

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ASSENTED-TO MOTION FOR EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT

The United States of America respectfully moves the Court to exclude the time period from March 13, 2020 through and including December 14, 2020, from the speedy trial clock, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), on the ground that the ends of justice served by excluding this period outweigh the public and defendant's interest in a speedy trial.

In support, the government states that on March 13, 2020, an Interim Status Conference occurred during which a trial date was set for July 2020 and the parties agreed that the time period between the Interim Status Conference and the July trial date would be excluded from the Speedy Trial Act. (Doc. #72). That trial date was later continued to October 13, 2020 upon joint motion of the parties and the Court's General Order 20-21. The Court also excluded the time period through October 13, 2020 from Speedy Trial Act calculations. (Doc. #74).

In the interim, the defendant was appointed new counsel who has just begun reviewing the evidence in the case. The matter is now scheduled for a further Interim Status Conference on December 14, 2020. During a hearing on October 13, 2020, new counsel agreed to exclude the time period between October 13, 2020 up to and including December 14, 2020. (Doc. #89).

The time period between March 13, 2020 through and including December 14, 2020 will allow new defense counsel the opportunity to continue his review discovery in the case and meet with his client to determine how to proceed. Thus, this period constitutes “the reasonable time

necessary for effective preparation, taking into account the exercise of due diligence," and the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial pursuant to the Speedy Trial Act, Speedy Trial Act, §§ 3161(h)(7)(A) and (B)(iv).

Respectfully submitted,

ANDREW E. LELLING  
UNITED STATES ATTORNEY

Date: October 23, 2020

By: */s/ Jordi de Llano*  
Jordi de Llano  
Assistant U.S. Attorney

*/s/ Caitlin R. Cottingham*  
Caitlin R. Cottingham  
Trial Attorney

CERTIFICATE OF SERVICE

I, Jordi de Llano, hereby certify that the foregoing was filed through the Electronic Court Filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Date: October 23, 2020

*/s/ Jordi de Llano*  
Assistant United States Attorney